



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,291	08/17/2001	Gary L. Cantrell	MRD/53	4770

26875 7590 03/15/2005

WOOD, HERRON & EVANS, LLP  
2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OH 45202

EXAMINER

JONES, DAMERON

ART UNIT PAPER NUMBER

1616

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

6

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

03082005


DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see the attached notice regarding the non-compliant amendment submitted 1/3/05.

HC

 Jones 3/8/05  
D. L. Jones  
Primary Examiner  
Art Unit: 1616

## NOTICE OF NON-COMPLIANT RESPONSE

1. The reply filed on 1/3/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not identified the variable A1 as set forth in the restriction requirement mailed 11/3/04. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

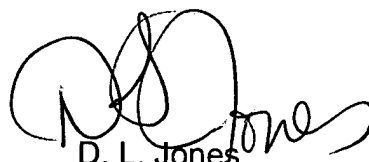
**Note:** It is duly noted that Applicant has requested that the lamellar structure comprises a combination of both docosanoic and octacosanoic acid sodium salts as set forth in claim 65. If claim 65, is elected and the lamellar structure comprises a combination of both docosanoic and octacosanoic, the independent claim from which claim 65 depends will be examined accordingly. However, if one salt is elected individually, the independent claim from which claim 65 will be examined accordingly. In other words, since claim 65 does not require the presences of both lamellar structure salts at ALL times, Groups 17 and 20 will remain separate until Applicant's election is made.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. L. Jones whose telephone number is (571) 272-0617. The examiner can normally be reached on Mon.-Fri., 6:45 a.m. - 3:15 p.m..

Art Unit: 1616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (571) 272-0887. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D. L. Jones  
Primary Examiner  
Art Unit 1616

March 8, 2005